

**Public Defender Corporation  
for the Eighth Judicial Circuit  
(A Component Unit of the State of West Virginia)**

Financial Statements  
and Required Supplementary  
and Supplementary Information

Years Ended June 30, 2020 and 2019  
with Independent Auditor's Reports

**MaherDuessel**

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# **PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT**

YEARS ENDED JUNE 30, 2020 AND 2019

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# **PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT**

YEARS ENDED JUNE 30, 2020 AND 2019

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## Independent Auditor's Report

**Board of Directors  
Public Defender  
Corporation for the  
Eighth Judicial Circuit**

### **Report on the Financial Statements**

We have audited the accompanying financial statements of the Public Defender Corporation for the Eighth Judicial Circuit (Corporation), a component unit of the State of West Virginia, as of and for the year ended June 30, 2020, and the related notes to the financial statements, as listed in the table of contents.

### **Management's Responsibility for the Financial Statements**

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### **Auditor's Responsibility**

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

## Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the Corporation as of June 30, 2020, and the changes in its financial position and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

## Other Matters

### *Required Supplementary Information*

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, the pension information, as listed in the table of contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

### *Other Information*

The schedule of budget to actual expenses – cash basis presents additional analysis and is not a required part of the basic financial statements. The schedule is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to

the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of budget to actual expenses – cash basis is fairly stated in all material respects in relation to the basic financial statements as a whole.

#### **Other Reporting Required by *Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated October 5, 2020 on our consideration of the Corporation's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Corporation's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Corporation's internal control over financial reporting and compliance.

#### **Prior Period Financial Statements**

The financial statements of the Corporation as of June 30, 2019 were audited by other auditors whose report dated September 6, 2019 expressed an unmodified opinion on those statements.

*Maher Duessel*

Pittsburgh, Pennsylvania  
October 5, 2020

# **PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT**

## **MANAGEMENT'S DISCUSSION AND ANALYSIS**

JUNE 30, 2020

This management's discussion and analysis of the Public Defender Corporation for the Eighth Judicial Circuit (Corporation) of the State of West Virginia's financial performance provides an overview of the Corporation's financial activities for the fiscal years ended June 30, 2020, 2019, and 2018 and identifies changes in the Corporation's financial position.

### **OVERVIEW OF BASIC FINANCIAL STATEMENTS**

These statements are in two parts — management's discussion and analysis (this section) and the basic financial statements. The Corporation's financial statements are prepared on the accrual basis of accounting and are reported in accordance with accounting principles generally accepted in the United States of America. These statements include the statements of net position, the statements of revenues, expenses, and changes in net position, the statements of cash flows, and the notes to financial statements.

The statement of net position presents the Corporation's assets, deferred outflows, liabilities, deferred inflows, and net position as of the date of the financial statements. Through this presentation, one can decipher the health of the Corporation by taking the difference between the assets and liabilities. An increase or decrease in the Corporation's net position from one year to the next is an indicator of whether its financial health is improving or deteriorating.

The statement of revenues, expenses, and changes in net position reports revenues when earned and expenses when incurred. This means that all of the current year's revenues and expenses are included regardless of when cash is received or paid, thus providing a view of financial position that is similar to that presented by most private-sector companies. This statement summarizes the cost of providing legal defense services to those individuals charged with a violation of the law, but who cannot afford an attorney to defend themselves or to represent indigent persons or juveniles and mental hygiene cases as appointed by the court.

## Financial Analysis of the Corporation

	2020	2019	2018
<b>Assets</b>			
Current and other assets	\$ 155,908	\$ 110,840	\$ 103,587
Capital assets	29,790	36,604	43,419
Total Assets	<u>\$ 185,698</u>	<u>\$ 147,444</u>	<u>\$ 147,006</u>
<b>Deferred Outflows</b>	<u>\$ 28,941</u>	<u>\$ 34,072</u>	<u>\$ 44,028</u>
<b>Liabilities</b>			
Current and other liabilities	\$ 31,266	\$ 35,000	\$ 45,461
Long-term liabilities	40,751	52,144	87,709
Total Liabilities	<u>\$ 72,017</u>	<u>\$ 87,144</u>	<u>\$ 133,170</u>
<b>Deferred Inflows</b>	<u>\$ 29,831</u>	<u>\$ 33,714</u>	<u>\$ 31,096</u>
<b>Net Position</b>			
Net investment in capital assets	\$ 29,790	\$ 36,604	\$ 43,419
Unrestricted	83,001	24,054	(16,651)
Total Net Position	<u>\$ 112,791</u>	<u>\$ 60,658</u>	<u>\$ 26,768</u>

The Corporation's revenues are derived from funding from West Virginia Public Defender Services (WVPDS) and accordingly 99% of the Corporation's revenues were derived from this funding for the years ended June 30, 2020, 2019, and 2018.



	2020	2019	2018
Operating revenues	\$ 447,417	\$ 409,061	\$ 396,918
Operating expenses	<u>395,633</u>	<u>375,436</u>	<u>401,467</u>
<b>Operating Income (Loss)</b>	51,784	33,625	(4,549)
Non-Operating Revenues (Expenses)	<u>349</u>	<u>265</u>	<u>(6,794)</u>
<b>Change in Net Position</b>	52,133	33,890	(11,343)
<b>Net Position:</b>			
Beginning of year	<u>60,658</u>	<u>26,768</u>	<u>38,111</u>
End of year	<u>\$ 112,791</u>	<u>\$ 60,658</u>	<u>\$ 26,768</u>

### Detailed Financial Analysis of the Corporation

Grant income increased approximately \$38,000 and cash held by the Corporation increased by approximately \$45,000. Net Pension Liability, included in long-term liabilities, decreased by approximately \$11,000. These balances represent the Corporation's portion of the liability as determined by annual actuarial valuations. All other assets, deferred outflows, liabilities, and deferred inflows remained consistent with the prior period.

Operating expenses for the fiscal year increased approximately \$20,000, primarily due to increases in employee benefits and support services.

### Capital Asset and Debt Activity

As of June 30, 2020, 2019, and 2018, the Corporation had capital assets costing approximately \$60,000. The Corporation's capital assets include leasehold improvements, computer and equipment, and furniture and fixtures. The assets were being depreciated over useful lives of three to fifteen years. The accumulated depreciation on the assets amounted to approximately \$30,000, \$23,000, and \$17,000, respectively. There were no asset disposals during the current year. There were no purchases of capital assets for the year ended June 30, 2020. More detailed information is presented in Note 6 to the financial statements. The Corporation had no debt for the years ended June 30, 2020, 2019, or 2018.

## **Cash Management**

The Corporation's funds are deposited into a checking account at a national banking institution. The account earns interest at a rate of 1.0% below the federal fund rate. The rate was approximately 1.0% for the years ended June 30, 2020, 2019, and 2018. Interest earned on the account for the years ended June 30, 2020, 2019, and 2018 amounted to approximately \$350, \$270, and \$360, respectively.

## **Pension**

The Corporation participates in statewide, cost-sharing, multiple-employer defined benefit plans for pension. The system is administered by agencies of the State of West Virginia and funded by contributions from participants, employers, and state appropriations, as necessary.

The Corporation reports liabilities for its proportionate share of the net pension liability. The liability is determined by an actuarial valuation as of June 30, 2019. The reporting of the liability is intended to give the user a clearer picture of the participating entity's total obligation as it relates to these benefits being provided. As the statements are presented on the accrual basis of accounting, the recognition of pension expense, which is impacted by the changes in these long-term liabilities, differs from the annual cash obligation, which is based on a percentage of covered wages.

## **Economic Factors and Next Year's Budget**

The West Virginia Public Defender Services, the Corporation's oversight agency, looked at various factors when approving the budget for the year ending June 30, 2021. Such factors considered include: the Corporation's case load in comparison to the number of professional and nonprofessional staff, the type, amount, and rate of employee benefits, the anticipation of large or unusual cases which require additional resources, capital needs, as well as the operating environment and its operation needs.

For the year ending June 30, 2021, the Corporation has an approved budget of \$447,417. This represents the same budget from the prior year. Individual budget categories have comparable increases to budgeted categories of the prior budget year.

## **Requests for Information**

The financial report is designed to provide an overview of the finances of the Corporation for those with an interest in the Corporation. Questions concerning any of the information provided in this report or request for additional financial information should be addressed to the Corporation at 8 Wyoming Street, Suite 101, Welch, WV 24801.

# PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT

## STATEMENTS OF NET POSITION

JUNE 30, 2020 AND 2019

	2020	2019
<b>Assets and Deferred Outflows of Resources</b>		
<b>Assets:</b>		
Current assets:		
Cash and cash equivalents	\$ 155,908	\$ 110,840
Total current assets	155,908	110,840
Capital assets:		
Leasehold improvements	32,355	32,355
Computer and equipment	12,440	12,440
Furniture and fixtures	15,248	15,248
	60,043	60,043
Less: accumulated depreciation	(30,253)	(23,439)
Total capital assets, net	29,790	36,604
Total Assets	185,698	147,444
<b>Deferred Outflows of Resources:</b>		
Deferred outflows of resources for pension	28,941	34,072
Total Deferred Outflows of Resources	28,941	34,072
<b>Total Assets and Deferred Outflows of Resources</b>	<b>\$ 214,639</b>	<b>\$ 181,516</b>
<b>Liabilities, Deferred Inflows of Resources, and Net Position</b>		
<b>Liabilities:</b>		
Current liabilities:		
Accounts payable	\$ 391	\$ 526
Accrued expenses	6,092	7,239
Compensated absences	24,783	27,235
Total current liabilities	31,266	35,000
Long-term liabilities:		
Net pension liability	40,751	52,144
Total long-term liabilities	40,751	52,144
Total Liabilities	72,017	87,144
<b>Deferred Inflows of Resources:</b>		
Deferred inflows of resources for pension	29,831	33,714
Total Deferred Inflows of Resources	29,831	33,714
<b>Net Position:</b>		
Net investment in capital assets	29,790	36,604
Unrestricted	83,001	24,054
Total Net Position	112,791	60,658
<b>Total Liabilities, Deferred Inflows of Resources, and Net Position</b>	<b>\$ 214,639</b>	<b>\$ 181,516</b>

The notes to financial statements are an integral part of this statement.

# PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT

## STATEMENTS OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION

YEARS ENDED JUNE 30, 2020 AND 2019

	2020	2019
<b>Operating Revenues:</b>		
WV Public Defender Services grant revenue	\$ 447,417	\$ 409,061
<b>Operating Expenses:</b>		
Personnel services	263,276	287,508
Employee benefits	50,338	24,240
Support services	36,612	16,672
Administrative support	2,985	5,514
Office	35,205	33,819
Other	49	122
Acquisition	354	747
Depreciation	6,814	6,814
Total operating expenses	395,633	375,436
<b>Operating Income (Loss)</b>	51,784	33,625
<b>Non-operating Revenues (Expenses):</b>		
Interest income	349	265
<b>Change in Net Position</b>	52,133	33,890
<b>Net Position:</b>		
Beginning of year	60,658	26,768
End of year	\$ 112,791	\$ 60,658

The notes to financial statements are an integral part of this statement.

# PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT

## STATEMENTS OF CASH FLOWS

YEARS ENDED JUNE 30, 2020 AND 2019

	2020	2019
<b>Cash Flows From Operating Activities:</b>		
Cash received from grants	\$ 447,417	\$ 442,137
Cash paid for goods and services	(135,823)	(114,565)
Cash paid to employees	(266,875)	(287,508)
Net cash provided by (used in) operating activities	44,719	40,064
<b>Cash Flows From Investing Activities:</b>		
Cash received as interest	349	265
Net Increase (Decrease) in Cash and Cash Equivalents	45,068	40,329
<b>Cash and Cash Equivalents:</b>		
Beginning of year	110,840	70,511
End of year	\$ 155,908	\$ 110,840
<b>Reconciliation of Operating Income (Loss) to Net Cash Provided by (Used in) Operating Activities:</b>		
Operating income (loss)	\$ 51,784	\$ 33,625
Adjustments to reconcile operating income (loss) to net cash provided by (used in) operating activities:		
Depreciation expense	6,814	6,814
Change in operating assets:		
Grants receivable	-	33,076
Deferred outflows	5,131	9,956
Change in operating liabilities:		
Accounts payable	(135)	111
Accrued expenses	(1,147)	(647)
Compensated absences	(2,452)	(9,924)
Pension liability	(11,393)	(35,565)
Deferred inflows	(3,883)	2,618
Total adjustments	(7,065)	6,439
Net cash provided by (used in) operating activities	\$ 44,719	\$ 40,064

The notes to financial statements are an integral part of this statement.

# **PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT**

## **NOTES TO FINANCIAL STATEMENTS**

YEARS ENDED JUNE 30, 2020 AND 2019

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### **1. Summary of Significant Accounting Policies**

#### Description of the Reporting Entity

The Public Defender Corporation for the Eighth Judicial Circuit (Corporation) is a not-for-profit Corporation created under authority of Article 21, Chapter 29 of the West Virginia State Code. The Corporation is a discretely presented component unit of the State of West Virginia (State) and is funded by West Virginia Public Defender Services. The purpose of the Corporation is to provide high quality legal assistance to indigent persons, at no cost, who would be otherwise unable to afford adequate legal counsel.

Component units are legally separate organizations for which the Corporation is financially accountable. The Corporation is financially accountable for an organization if it appoints a voting majority of the organization's governing board and (1) is able to significantly influence the programs or services performed or provided by the organization; or (2) is legally entitled to or can otherwise access the organization's resources; is legally obligated or has otherwise assumed the responsibility to finance deficits of or provide financial support to the organization; or is obligated for the debt of the organization. Based upon the application of these criteria, the Corporation has no component units.

The Corporation's management believes these financial statements present all activities for which the Corporation is financially accountable.

#### Enterprise Funds

Enterprise funds are accounted for in a manner similar to private business enterprises where the intent of management is that the costs and expenses, including depreciation, of providing goods and services to the general public on a continuing basis be financed or recovered primarily through user charges and/or where management has decided that periodic determination of revenues earned, expenses incurred, and net income is appropriate for capital maintenance, public policy, management control, and accountability.

#### Basis of Accounting

Basis of accounting refers to when revenues and expenses are recognized in the accounts and reported in the financial statements. Basis of accounting relates to the timing of the measurements made. The accounting policies of the Corporation conform to accounting

# **PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT**

## **NOTES TO FINANCIAL STATEMENTS**

**YEARS ENDED JUNE 30, 2020 AND 2019**

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policies generally accepted in the United States of America. For financial statement presentation purposes, the Corporation utilizes the accrual basis of accounting. Under this method of accounting, revenues are recognized when they are earned. Expenses are recognized under the accrual basis of accounting when the liability is incurred.

The Corporation's operations are accounted for on a flow of economic resources measurement focus. With this measurement focus, all assets, deferred outflows of resources, liabilities and deferred inflows of resources associated with operations are included on the statements of net position. Net position is segregated based on restrictions imposed. The categories of net position are net investment in capital assets, restricted, and unrestricted. The statements of revenues, expenses, and changes in net position presents increases (i.e., revenues) and decreases (i.e., expenses) in total net position.

### Cash and Cash Equivalents

For the purpose of the statements of cash flows and for the presentation on the statements of net position, the Corporation considers all highly liquid investments with a maturity when purchased of three months or less to be cash equivalents.

### Capital Assets

Capital assets are stated at cost. The Corporation provides for depreciation of capital assets on the straight-line method based upon estimated service lives. The Corporation's threshold for asset capitalization is \$1,000.

Estimated useful lives of the assets are as follows:

Leasehold improvements	15 years
Computer and equipment	3-10 years
Furniture and fixtures	3-10 years

### Net Position

Net position represents the difference between all other elements on the statements of net position. Net investment in capital assets consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any borrowings used for the acquisition, construction, or improvement of those assets. Net position is reported as

# **PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT**

## **NOTES TO FINANCIAL STATEMENTS**

**YEARS ENDED JUNE 30, 2020 AND 2019**

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restricted when there are limitations imposed on its use either through enabling legislation adopted by the Corporation or through external restrictions imposed by creditors, grantors, or laws or regulations of other governments. The Corporation's policy is to first apply restricted resources when an expense is incurred for purposes for which both restricted and unrestricted net position is available. No portion of the Corporation's net position was restricted at June 30, 2020 and 2019.

### Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results may differ from those estimates.

### Inventory

Materials and supplies are expensed at the time of purchase. Therefore, no inventory amounts are reflected in the accompanying financial statements.

### Insurance

Property and liability insurance coverage is considered adequate in the circumstances. See Note 5.

### Budgetary

The Corporation is not legally required to establish an annual budget; however, the Corporation does approve a budget and monitors it internally.

### Pension

For purposes of measuring the net pension liability and deferred outflows/inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the Corporation's Public Employee Retirement System (PERS), and additions to/deductions from the Plans' fiduciary net position have been determined on the same basis as they are reported by the PERS. For this purpose, benefit payments (including



# **PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT**

## **NOTES TO FINANCIAL STATEMENTS**

**YEARS ENDED JUNE 30, 2020 AND 2019**

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refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

### **Operating Revenues and Expenses**

Operating revenues are those revenues that are generated directly from the primary activity of the proprietary fund. For the Corporation, these revenues are grants from West Virginia Public Defender Services.

Operating expenses are those expenses that are expended directly for the primary activity of the proprietary fund. For the Corporation, these expenses are primarily administrative, benefits, maintenance and operations, depreciation, and travel expenses.

### **Income Taxes**

The Corporation is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code. Therefore, no provision for income tax has been recorded in the accompanying financial statements.

Accounting principles generally accepted in the United States require management to evaluate tax positions taken by the Corporation and recognize a tax liability (or asset) if the Corporation has taken an uncertain position that more likely than not would not be sustained upon examination by the Internal Revenue Service (IRS). Management has analyzed the tax positions taken by the Corporation, and has concluded that as of June 30, 2020, there are no uncertain positions taken or expected to be taken that would require recognition of a liability (or asset) or disclosure in the financial statements. The Corporation is subject to routine audits by taxing jurisdictions, however, there are currently no audits for any tax periods in progress. The Corporation's Federal Return of Organization Exempt from Income Tax (federal Form 990) for 2017, 2018, and 2019 are subject to examination by the IRS, generally for three years after they were filed.

### **Deferred Outflows/Inflows of Resources**

In addition to assets and liabilities, the statements of net position may report deferred outflows/inflows of resources. Deferred outflows of resources represent a consumption of net position that applies to a future period and will not be recognized as an outflow of resources (expense/expenditure) until that time. Deferred inflows of resources represent

# **PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT**

## **NOTES TO FINANCIAL STATEMENTS**

YEARS ENDED JUNE 30, 2020 AND 2019

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an acquisition of net position that applies to a future period and will not be recognized as an inflow of resources (revenue) until that time. The Corporation reported deferred inflows and outflows of resources for 2020 and 2019 related to pensions.

### **Adopted Pronouncement**

The Corporation has adopted Governmental Accounting Standards Board (GASB) Statement No. 90, *"Majority Equity Interests – an Amendment of GASB Statements No. 14 and No. 61."* The implementation of this pronouncement had no impact on these financial statements.

### **Subsequent Events**

Subsequent events have been evaluated through the Independent Auditor's Report date, which is the date the financial statements were available to be issued.

## **2. Cash**

At June 30, 2020 and 2019, the Corporation held cash and cash equivalents of \$155,908 and \$110,840, respectively, consisting of unexpended West Virginia Public Defender Services grant funds. West Virginia Public Defender Services considered this amount in determining the appropriate level of disbursements in the succeeding fiscal year necessary to fund the Corporation's normal operating activities.

## **3. Compensated Absences**

The liability for compensated absences reported in the financial statements consists of unpaid, accumulated annual vacation balances. Estimated obligations arise for vacation leave at the current rate of employee pay. Employees with less than five years of continuous full-time employment during any period earn 15 days per year. Employees with five years, but less than 10 years, of full-time employment during any continuous 10-year period, earn 20 days per year. Employees with more than 10 years of continuous full-time employment earn 24 days per year.

Also, the Corporation grants sick leave based on time worked. Full-time employees earn 20 sick days for each year of service with no maximum accumulation. The Corporation does

# **PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT**

## **NOTES TO FINANCIAL STATEMENTS**

**YEARS ENDED JUNE 30, 2020 AND 2019**

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not accrue any liability for sick leave because no amount is paid at the time of separation of employment. Upon retirement, an employee may elect to use any accrued sick leave balances to increase their years of service at retirement but do not have the option for the Corporation to pay them a cash payout.

The Corporation has no postemployment benefits under GASB Statement No. 45 with using Blue Cross/Blue Shield for its health coverage and does not participate in the West Virginia Public Employees Insurance Agency (PEIA).

#### **4. Employee Retirement Systems and Plans**

##### Public Employee Retirement System (PERS)

The Corporation participates in a statewide, cost-sharing, multiple-employer defined benefit plan on behalf of the general Corporation employees. The system is administered by agencies of the State of West Virginia and funded by contributions from participants, employers, and State appropriations, as necessary.

The Corporation's cost-sharing multiple-employer plan is administered by the Consolidated Public Retirement Board (CPRB), which acts as a common investment and administrative agent for all of the participating employers. CPRB issues publicly available reports that include a full description of the pension plans regarding benefit provisions, assumptions and membership information that can be found on the CPRB website at [www.wvretirement.com](http://www.wvretirement.com).

# **PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT**

## **NOTES TO FINANCIAL STATEMENTS**

**YEARS ENDED JUNE 30, 2020 AND 2019**

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The following is a summary of eligibility factors, contribution methods, and benefits provisions:

Eligibility to participate	All Corporation full-time employees, except those covered by other pension plans
Authority establishing contributions obligations and benefit provisions	State statute
Tier 1 Plan member's contribution rate	4.50% (employees hired before July 1, 2015)
Tier 2 Plan member's contribution rate	6.00% (employees hired after July 1, 2015)
Corporation's contribution rate	10.00% for fiscal year 2020; 10.00% for fiscal year 2019
Period required to vest	5 Years

Benefits and eligibility for distribution:

### **Tier 1**

A member who has attained age 60 and has earned five years or more of contributing service or age 55 if the sum of his/her age plus years of credited service is equal to or greater than 80. The final average salary (three highest consecutive years in the last 15) times the years of service times 2% equals the annual retirement benefit.

### **Tier 2**

Qualification for normal retirement is age 62 with 10 years of services or at least age 55 with and service equal to 80 or greater. The average salary is the average of the five consecutive highest annual earnings out of the last fifteen years of earnings) times the years of service times 2% equals the retirement benefit.

Deferred Portion - No

Provision for:

Cost of living – No

Death benefits - yes

# PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT

## NOTES TO FINANCIAL STATEMENTS

YEARS ENDED JUNE 30, 2020 AND 2019

The Corporation's contributions to the West Virginia Public Employees Retirement System for the year ended June 30, 2020 is as follows:

Percentage of Payroll	Total Wages	Coverage Wages	Amount Contributed
Employer share - 10%	\$ 255,068	\$ 255,068	\$ 25,507
Tier 1 employee share - 4.5%	239,584	239,584	10,782
Tier 2 employee share - 6.0%	15,484	15,484	929

The Corporation's contributions to the West Virginia Public Employees Retirement System for the year ended June 30, 2019 is as follows:

Percentage of Payroll	Total Wages	Coverage Wages	Amount Contributed
Employer share - 10%	\$ 278,257	\$ 278,257	\$ 27,826
Tier 1 employee share - 4.5%	225,549	225,549	10,150
Tier 2 employee share - 6%	52,708	52,708	3,162

### Trend Information

Fiscal Year	Annual Pension Cost	Percent Contributed
2020	\$ 25,507	100.00%
2019	27,826	100.00%
2018	30,687	100.00%

For 2020, the required contribution was \$25,507. Of this amount, \$0 is reported in accrued expenses.

PERS issues a publicly available financial report that includes financial statements and required supplementary information. That information may be obtained by writing to the Public Employees' Retirement System, 4101 MacCorkle Avenue, SE, Charleston, WV 25304.

# PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT

## NOTES TO FINANCIAL STATEMENTS

YEARS ENDED JUNE 30, 2020 AND 2019

### Pension Liabilities, Pension Expense, Deferred Outflows of Resources, and Deferred Inflows of Resources Related to Pensions

At fiscal year-end, the Corporation reported the following liabilities for its proportionate share of the net pension liabilities. The net pension liabilities were measured as of June 30, 2019 and 2018 for the Corporation fiscal years ended June 30, 2020 and 2019, respectively. The total pension liability used to calculate the net pension liabilities were determined by an actuarial valuation as of June 30, 2018 and rolled forward to June 30, 2019 using the actuarial assumptions and methods described in the appropriate section of this note. The Corporation's proportion of the net pension liabilities was based on a projection of the Corporation's long-term share of contributions to the pension plans relative to the projected contributions of all participating governments, actuarially determined. At June 30, 2020 and 2019, the Corporation reported the following proportions and increase/decreases from its proportion measured as of June 30, 2019 and 2018:

	<u>2020</u>	<u>2019</u>
Amount for proportionate share of net pension liability	\$ 40,751	\$ 52,144
Percentage for proportionate share of net pension liability	0.018953%	0.020191%
Increase (decrease) in percent from prior proportion measured	-0.001238%	-0.000129%

For the years ended June 30, 2020 and 2019, the Corporation recognized the following pension expense:

	<u>2020 PERS</u>	<u>2019 PERS</u>
Pension expense	<u>\$ 15,362</u>	<u>\$ 5,060</u>

# PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT

## NOTES TO FINANCIAL STATEMENTS

YEARS ENDED JUNE 30, 2020 AND 2019

The Corporation reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources for the year ended June 30, 2020:

	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>
Net difference between projected and actual earnings on pension plan investments	\$ -	\$ 14,730
Differences between expected and actual experience	1,577	3,559
Changes in proportion	1,857	4,061
Changes in assumptions	-	7,481
Contributions subsequent to the measurement date	<u>25,507</u>	<u>-</u>
Total	<u><u>\$ 28,941</u></u>	<u><u>\$ 29,831</u></u>

The Corporation reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources for the year ended June 30, 2019:

	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>
Net difference between projected and actual earnings on pension plan investments	\$ -	\$ 30,684
Differences between expected and actual experience	2,587	129
Changes in assumptions	-	-
Changes in proportion	3,659	2,901
Contributions subsequent to the measurement date	<u>27,826</u>	<u>-</u>
Total	<u><u>\$ 34,072</u></u>	<u><u>\$ 33,714</u></u>

# **PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT**

## **NOTES TO FINANCIAL STATEMENTS**

**YEARS ENDED JUNE 30, 2020 AND 2019**

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The amount reported as deferred outflows of resources related to pensions resulting from contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ending June 30, 2020. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

<u>Year Ending June 30,</u>	<u>2020</u>	<u>Year Ending June 30,</u>	<u>2019</u>
2021	\$ (4,539)	2020	\$ 3,540
2022	(22,927)	2021	(3,162)
2023	(3,209)	2022	(22,650)
2024	<u>4,278</u>	2023	<u>(5,196)</u>
Total	<u>\$ (26,397)</u>	Total	<u>\$ (27,468)</u>

### Actuarial Assumptions

The total pension liabilities were determined using the following actuarial assumptions, applied to all periods included in the measurement.



# PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT

## NOTES TO FINANCIAL STATEMENTS

YEARS ENDED JUNE 30, 2020 AND 2019

	June 30, 2019	June 30, 2018
Actuarial cost method	Individual entry age normal cost with level percentage of payroll	Individual entry age normal cost with level percentage of payroll
Asset valuation method	Fair Value	Fair Value
Amortization method	Level dollar, fixed period	Level dollar, fixed period
Amortization period	Through fiscal year 2035	Through fiscal year 2035
Actuarial assumptions:		
Investment rate of return	7.50%	7.50%
Projected salary increases - PERS:		
State	3.1 - 5.3%	3.0 - 4.6%
Nonstate	3.35 - 6.5%	3.35 - 6.0%
Inflation rate	3.00%	3.00%
Discount rate	7.50%	7.50%
Mortality rate	Active-100% of Pub-2010 General Employees table, below median, headcount weighted, projected with scale MP-2018 Retired healthy males-108% of Pub-2010 General Retiree Male table, below-median, headcount weighted, projected with scale MP-2018 Retired healthy females-122% of Pub-2010 Annuitant, Scale AA fully generational General Retiree Female table, below-median, headcount weighted, projected with scale MP-2018 Disabled males-118% of Pub-2010 General / Teachers Disabled Male table, below-median, headcount weighted, projected with scale MP-2018 Disabled females-118% of Pub-2010 General / Teachers Disabled Female table, below-median, headcount weighted, projected with scale MP-2018	Active-100% of RP-2000 Non-Annuitant, Scale AA fully generational, retired healthy males 110% of RP-2000 Healthy Annuitant, Scale AA fully generational, retired healthy females 101% of RP-2000 Healthy Annuitant, Scale AA fully generational, disabled males 96% of RP-2000 Disabled Annuitant, Scale AA fully generational, disabled females 107% of RP-2000 Disabled Annuitant, Scale AA fully generational

# PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT

## NOTES TO FINANCIAL STATEMENTS

YEARS ENDED JUNE 30, 2020 AND 2019

	June 30, 2019	June 30, 2018
Withdrawal rates:		
State	2.28 - 45.63%	1.75 - 35.1%
Nonstate	2.50 - 35.88%	2 - 35.88%
Disability rates	0.005 - .540%	0.007 - .675%
Retirement rates	12 - 100%	12 - 100%
Date range in most recent experience study	2013-2018	2009-2014

The long-term expected rate of return on pension plan investments were determined using a building-block method in which estimates of expected real rates of returns (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target allocation and best estimates of arithmetic real rates of return for each asset class are summarized in the following tables:

2019		
Asset Class	Long-Term Expected Rate of Return	PERS Target Asset Allocation
U.S. Equity	5.8%	27.5%
International Equity	7.7%	27.5%
Core Fixed Income	3.3%	15.0%
Real Estate	6.1%	10.0%
Private Equity	8.8%	10.0%
Hedge Funds	4.4%	10.0%
		100.0%

# PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT

## NOTES TO FINANCIAL STATEMENTS

YEARS ENDED JUNE 30, 2020 AND 2019

<u>2018</u>		
<u>Asset Class</u>	<u>Long-Term Expected Rate of Return</u>	<u>PERS Target Asset Allocation</u>
U.S. Equity	4.5%	27.5%
International Equity	8.6%	27.5%
Core Fixed Income	3.3%	15.0%
Real Estate	6.0%	10.0%
Private Equity	6.4%	10.0%
Hedge Funds	4.0%	10.0%
		<u>100.0%</u>

### Discount Rate

The discount rate used to measure the total pension liability was 7.5 percent for all defined benefit plans. The projection of cash flows used to determine the discount rates assumed that employer contributions will continue to follow the current funding policies. Based on those assumptions, the fiduciary net position for each defined benefit pension plan was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rates of return on pension plan investments were applied to all periods of projected benefit payments to determine the total pension liabilities of each plan.

The following chart presents the sensitivity of the net pension liability to changes in the discount rate, calculated using the discount rates as used in the actuarial evaluation, and what the net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower or 1-percentage point higher than the current rate:

<u>2020</u>	<u>1% Decrease (6.50%)</u>	<u>Current Discount Rate (7.50%)</u>	<u>1% Increase (8.50%)</u>
Proportionate share of PERS's net pension liability	<u>\$ 189,823</u>	<u>\$ 40,751</u>	<u>\$ (85,354)</u>

# PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT

## NOTES TO FINANCIAL STATEMENTS

YEARS ENDED JUNE 30, 2020 AND 2019

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<u>2019</u>	<u>1% Decrease (6.50%)</u>	<u>Current Discount Rate (7.50%)</u>	<u>1% Increase (8.50%)</u>
Proportionate share of PERS's net pension liability	<u>\$ 209,993</u>	<u>\$ 52,144</u>	<u>\$ (81,395)</u>

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Detailed information about the pension plans' fiduciary net position is available in the separately issued financial report available at the Consolidated Public Retirement Board's website at [www.wvretirement.com](http://www.wvretirement.com). That information can also be obtained by writing to the West Virginia Consolidated Public Retirement Board, 4101 MacCorkle Avenue SE, Charleston, WV 25304.

### 5. Risk Management

The Corporation is exposed to various risks or loss related to torts, theft, or damage to and destruction of assets, errors and omissions, injuries to employees, and natural disasters. The Board, pursuant to the provisions of State law, participates in the following risk management programs administered by the State.

#### Board of Risk and Insurance Management (BRIM)

The Corporation participates in the West Virginia Board of Risk and Insurance Management, a common risk insurance pool for all State agencies, component units, board of education, and other local governmental agencies who wish to participate. The Corporation pays an annual premium to BRIM for its general insurance coverage. Fund underwriting and rate setting policies are established by BRIM. The cost of all coverage as determined by BRIM is paid by the participants. The BRIM risk pool retains the risk of the first \$2 million per property event and purchases excess insurance on losses above that level. BRIM has \$1 million per occurrence coverage maximum on all third-party liability claims.

#### Workers' Compensation Fund (WCF)

West Virginia has a single private insurance company, BrickStreet Insurance, which provides workers' compensation coverage to all employers in the state. Other private insurance companies began offering coverage to private-sector employers beginning July 1, 2008 and to government employers July 1, 2012. Nearly every employer in the State, including all

# **PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT**

## **NOTES TO FINANCIAL STATEMENTS**

**YEARS ENDED JUNE 30, 2020 AND 2019**

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boards of education, which have a payroll, must have coverage. The cost of all coverage, as determined by BrickStreet, is paid by the employers.

The WCF risk pool retains the risk related to the compensation of injured employees under the program.

### Other Commercial Coverage

The Corporation is exposed to various other risks of loss related to torts; theft of, or damage to and destruction of assets; errors and omissions; injuries to employees; terrorism; natural disasters; and employee dishonesty for which the Corporation purchases commercial insurance coverage.

During the year ended June 30, 2020, the Corporation did not reduce insurance coverage's from coverage levels in place as of June 30, 2019. No settlements have exceeded coverage levels in place during the past three years.

# PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT

## NOTES TO FINANCIAL STATEMENTS

YEARS ENDED JUNE 30, 2020 AND 2019

### 6. Capital Assets

Capital asset activity for the year ended June 30, 2020 was as follows:

	Balance at July 1, 2019	Additions	Deletions/ Transfers	Balance at June 30, 2020
<b>Governmental Activities:</b>				
Capital assets, being depreciated:				
Leasehold improvements	\$ 32,355	\$ -	\$ -	\$ 32,355
Computer and equipment	12,440	-	-	12,440
Furniture and fixtures	15,248	-	-	15,248
	<u>60,043</u>	<u>-</u>	<u>-</u>	<u>60,043</u>
Total capital assets, being depreciated				
	<u>60,043</u>	<u>-</u>	<u>-</u>	<u>60,043</u>
Less: accumulated depreciation for:				
Leasehold improvements	(3,415)	(2,157)	-	(5,572)
Computer and equipment	(10,211)	(2,229)	-	(12,440)
Furniture and fixtures	(9,813)	(2,428)	-	(12,241)
	<u>(23,439)</u>	<u>(6,814)</u>	<u>-</u>	<u>(30,253)</u>
Total accumulated depreciation				
	<u>(23,439)</u>	<u>(6,814)</u>	<u>-</u>	<u>(30,253)</u>
Governmental activities, capital assets, net	<u>\$ 36,604</u>	<u>\$ (6,814)</u>	<u>\$ -</u>	<u>\$ 29,790</u>

# PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT

## NOTES TO FINANCIAL STATEMENTS

YEARS ENDED JUNE 30, 2020 AND 2019

Capital asset activity for the year ended June 30, 2019 was as follows:

	Balance at July 1, 2018	Additions	Deletions/ Transfers	Balance at June 30, 2019
<b>Governmental Activities:</b>				
Capital assets, being depreciated:				
Leasehold improvements	\$ 32,355	\$ -	\$ -	\$ 32,355
Computer and equipment	12,440	-	-	12,440
Furniture and fixtures	15,248	-	-	15,248
	<u>60,043</u>	<u>-</u>	<u>-</u>	<u>60,043</u>
Total capital assets, being depreciated	60,043	-	-	60,043
Less: accumulated depreciation for:				
Leasehold improvements	(1,258)	(2,157)	-	(3,415)
Computer and equipment	(7,981)	(2,230)	-	(10,211)
Furniture and fixtures	(7,385)	(2,428)	-	(9,813)
	<u>(16,624)</u>	<u>(6,815)</u>	<u>-</u>	<u>(23,439)</u>
Total accumulated depreciation	(16,624)	(6,815)	-	(23,439)
Governmental activities, capital assets, net	<u>\$ 43,419</u>	<u>\$ (6,815)</u>	<u>\$ -</u>	<u>\$ 36,604</u>

## 7. Long-Term Liabilities

Changes to the Corporation's long-term liabilities during the year ended June 30, 2020 were as follows:

	Balance at July 1, 2019	Additions	Reductions	Balance at June 30, 2020	Due within one year
Compensated absences	\$ 27,235	\$ -	\$ (2,452)	\$ 24,783	\$ 24,783
Net pension liability	52,144	-	(11,393)	40,751	-
	<u>\$ 79,379</u>	<u>\$ -</u>	<u>\$ (13,845)</u>	<u>\$ 65,534</u>	<u>\$ 24,783</u>
Total	79,379	-	(13,845)	65,534	24,783

# PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT

## NOTES TO FINANCIAL STATEMENTS

YEARS ENDED JUNE 30, 2020 AND 2019

Changes to the Corporation's long-term liabilities during the year ended June 30, 2019 were as follows:

	Balance at July 1, 2018	Additions	Reductions	Balance at June 30, 2019	Due within one year
Compensated absences	\$ 37,159	\$ -	\$ (9,924)	\$ 27,235	\$ 27,235
Net pension liability	87,709	-	(35,565)	52,144	-
Total	<u>\$ 124,868</u>	<u>\$ -</u>	<u>\$ (45,489)</u>	<u>\$ 79,379</u>	<u>\$ 27,235</u>

## 8. Contingencies

The Corporation is on a reimbursement plan with the State of West Virginia, Workforce WV, Unemployment Compensation Division, (Workforce) whereby they no longer pay quarterly premiums. When a liability arises regarding the payment of unemployment, the Corporation will be assessed 100% of the awarded claim filed and payment to Workforce would be made at that time. Any liability arising from the dismissal of employment is uncertain at this time; however, management believes such amounts, if any, to be immaterial.

The Corporation's programs are funded from state sources, principal of which is programs of the West Virginia Public Defender Services. State grants received for specific purposes are subject to audit and review by grantor agencies. Such audits and reviews could result in requests for reimbursements to grantor agencies for expenditures disallowed under the terms of the grants. The amount, if any, of expenditures which may be disallowed by grantor agencies cannot be determined at this time, although management believes such amounts, if any, to be immaterial.



**REQUIRED SUPPLEMENTARY  
INFORMATION**

**PUBLIC DEFENDER CORPORATION  
FOR THE EIGHTH JUDICIAL CIRCUIT**

SCHEDULE OF THE CORPORATION'S PROPORTIONATE SHARE OF NET PENSION LIABILITY

Last 10 Fiscal Years<sup>1</sup>

	2019	2018	2017	2016	2015	2014	2013
Corporation's proportion of net pension liability	0.018953%	0.020191%	0.020320%	0.019106%	0.020509%	0.020468%	0.021281%
Corporation's proportionate share of net pension liability	\$ 40,751	\$ 52,144	\$ 87,709	\$ 175,611	\$ 114,523	\$ 75,540	\$ 118,834
Corporation's covered payroll	\$ 278,257	\$ 278,973	\$ 278,973	\$ 273,156	\$ 273,800	\$ 274,083	\$ 284,850
Corporation's proportionate share of net pension liability as a percentage of its covered payroll	14.65%	18.69%	31.44%	64.29%	41.83%	27.56%	41.72%
Plan fiduciary net position as a percentage of total pension liability	96.99%	96.33%	93.67%	86.11%	94.23%	91.29%	79.70%

<sup>1</sup> The amounts presented for each fiscal year were determined as of the measurement date, which is June 30 of the immediately preceding fiscal year. This schedule is intended to illustrate information for 10 years. However, until a full 10-year trend is compiled, the Corporation is presenting information for those years only for which information is available.

SCHEDULE OF THE CORPORATION'S CONTRIBUTIONS TO THE PENSION PLAN

Last 10 Fiscal Years<sup>2</sup>

	2020	2019	2018	2017	2016	2015	2014	2013
Contractually required contribution	\$ 25,507	\$ 27,826	\$ 30,687	\$ 33,477	\$ 36,876	\$ 38,332	\$ 39,742	\$ 39,873
Contributions in relation to contractually required contributions	(25,507)	(27,826)	(30,687)	(33,477)	(36,876)	(38,332)	(39,742)	(39,879)
Contribution deficit (surplus)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (6)
Corporation's covered payroll	\$ 255,074	\$ 278,257	\$ 278,973	\$ 287,973	\$ 273,156	\$ 273,800	\$ 274,083	\$ 284,850
Contributions as a percentage of covered payroll	10.00%	10.00%	11.00%	12.00%	13.50%	14.00%	14.50%	14.00%

<sup>2</sup> The amounts presented for each fiscal year were determined as of the fiscal year-end date. This schedule is intended to illustrate information for 10 years. However, until a full 10-year trend is compiled, the Corporation is presenting information for those years only for which information is available.

See accompanying notes to required supplementary information.

# **PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT**

## **NOTES TO REQUIRED SUPPLEMENTARY INFORMATION**

YEAR ENDED JUNE 30, 2020

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### **1. Trend Information and Changes in Assumptions – Public Employee Retirement System (PERS)**

#### *Trend Information Presented*

The accompanying schedules of the Corporation's proportionate share of the net pension liability and contributions to PERS are required supplementary information to be presented for 10 years. However, until a full 10-year trend is compiled, information is presented in the schedules for those years for which information is available.

#### *Plan Amendment*

PERS was amended to make changes which apply to new employees hired July 1, 2015 and later as follows:

- For employees hired prior to July 1, 2015, qualification for normal retirement is age 60 with five years of service or at least age 55 with age and service equal to 80 or greater. A member may retire with the pension reduced actuarially if the member is at least age 55 and has at least 10 years of contributory service, or at any age with 30 years of contributory service. For employees hired July 1, 2015 and later, qualification for normal retirement is 62 with 10 years of service. A member hired after July 1, 2015 may retire with the pension reduced actuarially if the member is between ages 60 and 62 with at least ten years of contributory service, between ages 57 and 62 with at least twenty years of contributory service, or between ages 55 and 62 with at least thirty years of contributory service.

The straight life annuity retirement benefit is equivalent to 2% of average salary multiplied by years of service. For employees hired prior to July 1, 2015, average salary is the average of the three consecutive highest annual earnings out of the last fifteen years of earnings. For all employees hired July 1, 2015 and later average salary is the average of the five consecutive highest annual earnings out of the last fifteen years of earnings.

- For employees hired prior to July 1, 2015, terminated members with at least five years of contributory service who do not withdraw their accumulated contributions may elect to receive their retirement annuity beginning at age 62. For all employees hired July 1, 2015 and later, this age increases to 64 with at least ten years of contributory service, or age 63 with at least twenty years of contributory service.

# PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT

## NOTES TO REQUIRED SUPPLEMENTARY INFORMATION

YEAR ENDED JUNE 30, 2020

For all employees hired prior to July 1, 2015, employees are required to contribute 4.5% of annual earnings. All employees hired July 1, 2015 and later are required to contribute 6% of annual earnings.

### *Changes in Assumption*

An experience study, which was based on the years 2013 through 2018, was completed prior to the 2019 actuarial valuation. As a result, several assumptions were changed for the actuarial valuations as follows:

PERS	2019	2015-2018	2014
Projected salary increase:			
State	3.1 - 5.3%	3.0 - 4.6%	4.25 - 6.0%
Nonstate	3.35 - 6.5%	3.35 - 6.0%	4.25 - 6.0%
Inflation rate	3.00%	3.0% (2016-2018); 1.9% (2015)	2.2%
Mortality rates	Active-100% of Pub-2010 General Employees table, below median, headcount weighted, projected with scale MP-2018 Retired healthy males-108% of Pub-2010 General Retiree Male table, below-median, headcount weighted, projected with scale MP-2018 Retired healthy females-122% of Pub-2010 Annuitant, Scale AA fully generational General Retiree Female table, below-median, headcount weighted, projected with scale MP-2018	Active-RP-2000 Non-Annuitant tables, Scale AA fully generational Retired healthy males – 110% of RP-2000 Non-Annuitant, Scale AA fully generational Retired healthy females – 101% of RP-2000 Non-Annuitants, Scale AA fully generational Disabled males – 96% of RP-2000 Disabled Annuitant, Scale AA fully Generational	Healthy males – 1983 GAM Healthy females – 1971 GAM Disabled males-1971 GAM Disabled females-Revenue ruling 96-7

# PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT

## NOTES TO REQUIRED SUPPLEMENTARY INFORMATION

YEAR ENDED JUNE 30, 2020

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	Disabled males-118% of Pub-2010 General / Teachers Disabled Male table, below-median, headcount weighted, projected with scale MP-2018	Disabled females – 107% of RP-2000 Disabled Annuitant, Scale AA fully generational	
	Disabled females-118% of Pub-2010 General / Teachers Disabled Female table, below-median, headcount weighted, projected with scale MP-2018		
Withdrawal rates:			
State	2.28-45.63%	1.75 - 35.1%	1 – 26%
Nonstate	2.50-35.88%	2.00 - 35.8%	2.00 – 31.2%
Disability rates	0.005-0.540%	0.007 - .675%	0 – .8%

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## **SUPPLEMENTARY INFORMATION**

# PUBLIC DEFENDER CORPORATION FOR THE EIGHTH JUDICIAL CIRCUIT

## SCHEDULE OF BUDGET TO ACTUAL EXPENSES - CASH BASIS

YEAR ENDED JUNE 30, 2020

	<u>Budget</u>	<u>Actual</u>	<u>Over (Under) Budget to Actual</u>
Compensation and benefits	\$ 372,102	\$ 327,493	\$ 44,609
Operations	<u>75,315</u>	<u>75,205</u>	<u>110</u>
 Total operating expenses	 <u><u>\$ 447,417</u></u>	 <u><u>\$ 402,698</u></u>	 <u><u>\$ 44,719</u></u>

**Public Defender Corporation  
for the Eighth Judicial Circuit**

Independent Auditor's Report  
in Accordance with  
*Government Auditing Standards*

Year Ended June 30, 2020



**Independent Auditor's Report on Internal Control over Financial Reporting and on  
Compliance and Other Matters Based on an Audit of Financial Statements  
Performed in Accordance with Government Auditing Standards**

**Board of Directors  
Public Defender  
Corporation for the  
Eighth Judicial Circuit**

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the Public Defender Corporation for the Eighth Judicial Circuit (Corporation), as of and for the year ended June 30, 2020, and the related notes to the financial statements, which collectively comprise the Corporation's basic financial statements, and have issued our report thereon dated October 5, 2020.

## **Internal Control over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the Corporation's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Corporation's internal control. Accordingly, we do not express an opinion on the effectiveness of the Corporation's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the Eighth paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Board of Directors  
Public Defender Corporation  
for the Eighth Judicial Circuit  
Independent Auditor's Report on Internal Control over  
Financial Reporting and on Compliance and Other Matters

## Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Corporation's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

## Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

*Maher Duessel*

Pittsburgh, Pennsylvania  
October 5, 2020

**PUBLIC DEFENDER CORPORATION  
FOR THE EIGHTH JUDICIAL CIRCUIT**

**SCHEDULE OF FINDINGS AND RESPONSES**

**YEAR ENDED JUNE 30, 2020**

**NONE**